



**United States Department of the Interior**  
BUREAU OF LAND MANAGEMENT  
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In Reply Refer To:  
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April 17, 2007

Instruction Memorandum No. WY-2007-020  
Expires: 9/30/08

To: Field Managers

From: Associate State Director

Subject: *Resource Management Plan (RMP) Maintenance Action*: Incorporation of the Bureau of Land Management's (BLM) Programmatic Biological Assessment (BA) for the Threatened Ute Ladies'-tresses Orchid (*Spiranthes diluvialis*) and the United States Fish and Wildlife Service (FWS) Informal/Formal Consultation (Biological Opinion) into Field Office (FO) Resource Management Plans (RMPs) by Maintenance Action

The attached document transmits the FWS Biological Opinion (BO) and correspondence memorandum (informal and formal consultation) based on a review of potential activities and conservation measures described under all current Wyoming BLM RMPs (except the Snake River RMP) and the Wyoming statewide Programmatic Ute ladies'-tresses orchid BA, and the potential effects of these activities on the orchid in accordance with section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et. seq. and 50 CFR §402.10). The FWS concurred with all of BLM's activity specific determinations of "no effect" or "not likely to adversely affect" presented in the revised Ute ladies'-tresses orchid Statewide Programmatic BA dated March 7, 2007. However, a "likely to adversely affect" determination was made for livestock grazing within all current RMPs and coalbed natural gas activities in the Buffalo and Platte River RMPs, resulting in formal consultation and a Biological Opinion (BO) from the FWS.

The Wyoming BLM Statewide Programmatic BA for the Ute ladies'-tresses orchid and the correspondence memorandum covering informal and formal consultation with the FWS can be found on the on the internet at [www.blm.gov/wy/st/en/programs/Wildlife.html](http://www.blm.gov/wy/st/en/programs/Wildlife.html).

The preliminary determination is that this action is an RMP *Maintenance Action* as defined in 43 CFR 1610.5-4. All Wyoming BLM FOs should review their existing RMPs, the programmatic BA, and the FWS correspondence memorandum. If you agree with this determination, please maintain the official hard copy of your RMP within 30 days of the date of this Instruction Memorandum (IM). Please also maintain the web-based copy of your RMP during the same timeframe. If you believe this action may require an RMP amendment, please contact Ken Peacock, Wyoming State Office, at (307) 775-6329.

If you have further questions regarding this IM, please contact Jeff Carroll at (307) 775-6090.

/s/Donald A. Simpson

2 Attachments:

1. Fish and Wildlife Service Memorandum (ES-61411/W.02/WY06F0205b) (70 pp.)
2. BLM Wyoming Statewide Programmatic Ute-Ladies'-tresses Orchid Biological Assessment  
(7 March 2007) (57 pp.)